

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	HABIB HOGUE,	Case No. 3:23-cv-00652-ART-CSD
4		Plaintiff
5	v.	ORDER
6	SCOTT DAVIS, et al.,	
7		Defendants
8		

9                   On December 20, 2023, pro se plaintiff Habib Hogue, an inmate in the custody of  
 10 the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983.  
 11 (ECF No. 1-2). Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an  
 12 application to proceed *in forma pauperis*. (See ECF No. 1). Plaintiff did submit a  
 13 completed financial certificate and an inmate trust fund account statement for the previous  
 14 six-month period. (ECF No. 1-1).

15 **I. DISCUSSION**

16                   The United States District Court for the District of Nevada must collect filing fees  
 17 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee  
 18 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55  
 19 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the  
 20 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev.  
 21 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate  
 22 must submit **all three** of the following documents to the Court: (1) a completed  
 23 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the  
 24 Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a  
 25 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is  
 26 properly signed by both the inmate and a prison or jail official; and (3) a copy of the  
 27 **inmate’s prison or jail trust fund account statement for the previous six-month**  
 28 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*

1 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
2 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 **II. CONCLUSION**

4 It is therefore ordered that Plaintiff has **until January 19, 2024**, to either pay the  
5 full \$405 filing fee or file a completed application with the inmate's two signatures on page  
6 3.

7 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
8 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
9 to refile the case with the Court, under a new case number, when Plaintiff can file a  
10 complete application to proceed *in forma pauperis* or pay the required filing fee.

11 The Clerk of the Court is directed to send Plaintiff the approved form application to  
12 proceed *in forma pauperis* for an inmate and instructions for the same and retain the  
13 complaint (ECF No. 1-2) but not file it at this time.

14 DATED: December 21, 2023.

15   
16 UNITED STATES MAGISTRATE JUDGE

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28